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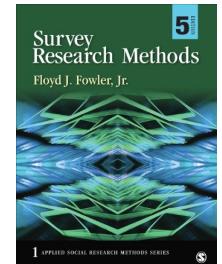
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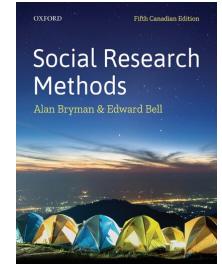
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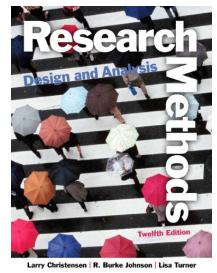
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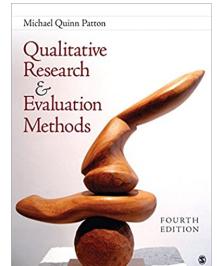
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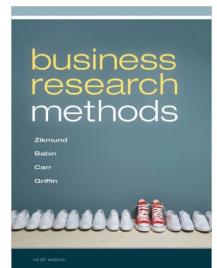
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# Idea and Methods of Legal Research



# Idea and Methods of Legal Research

P. Ishwara Bhat

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## Abbreviations

ADR	alternative dispute resolution
ALR	analytical legal research
ARL	action research in law
CBA	cost–benefit analysis
CEHAT	Centre for Enquiry into Health and Allied Themes
CI	co-operative inquiry
CJI	Chief Justice of India
CLR	comparative legal research
COPAI	collection, organization, presentation, analysis, and interpretation
CR	coefficient of range
CrPC	Code of Criminal Procedure, 1973
CSM	case study method
CWC	child welfare committee
DLR	doctrinal legal research
DS	disputed structure
EGSSRH	Ethical Guidelines for Social Science Research in Health
ELR	empirical legal research
FDI	foreign direct investment
FGD	focused group discussion
GATS	general agreement in trade and services
GDP	gross domestic product
GST	goods and services tax
HDI	human development index

HLR	historical legal research
HRC	human rights council
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMR	Indian Council of Medical Research
ICSSR	Indian Council for Social Science Research
ICT	international criminal tribunal
ILI	Indian Law Institute
IPC	Indian Penal Code
IPR	intellectual property rights
JJA	Juvenile Justice Act
JJB	Juvenile Justice Board
LEC	legal education centre
LR	literature review
LST	law and social transformation
MD	mean deviation
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MHA	Ministry of Home Affairs
MHRD	Ministry of Human Resources Development
MLA	Modern Language Association
MMLR	multi-method legal research
MoEF	Ministry of Environment and Forest
MoF	Ministry of Finance
MoPR	Ministry of Panchayat Raj
MRTP	Monopolies and Restrictive Trade Practices Act
NCESSRH	National Committee for Ethics in Social Sciences Research in Health
NCMS	National Court Management System
NCRB	National Crime Records Bureau
NDLR	non-doctrinal legal research
NGO	non-government organization
NHRC	National Human Rights Commission
NJAC	National Judicial Appointment Commission
NLUJD	National Law University, Delhi
NPO	non-profit organization
NSSO	National Sample Survey Office
NUJS	(West Bengal) National University of Juridical Sciences

OSCOLA	Oxford University Standard for Citation of Legal Authorities
PA	participatory assessment
PAR	participative action research
PCA	person with criminal antecedents
PEST	politics, economics, society, and technology
PIL	public interest litigation
PRL	policy research in law
RTI	right to information
QLR	qualitative legal research
QtLR	quantitative legal research
RD	research design
RP	research proposal
SAARC	South Asian Association for Regional Cooperation
SD	standard deviation
SEZ	special economic zone
SLP	special leave petition
SJPU	special juvenile police unit
SWOT	strength, weakness, opportunity, and threat
TRIMs	trade related aspects of investment measures
TRIPs	trade related aspects of intellectual properties
UCC	uniform civil code
UDHR	Universal Declaration of Human Rights, 1948
UDRP	uniform domain name dispute resolution policy
UGC	University Grants Commission
UN	United Nations
UNCITRAL	United Nation Commission on International Trade Law
UNICEF	United Nations International Children's Emergency Fund
UNIDROIT	International Institute for the Unification of Private Law
WTO	World Trade Organization

## Foreword

Professor Ishwara Bhat has done a splendid service to legal research and writing with this substantial work, which covers both the idea and methods of critical juristic research. The book in your hands is the result of indefatigable efforts and missionary dedication of Professor Bhat and richly repays several readings; modestly titled as a book on research methods, it is in fact a veritable handbook of social science-oriented legal studies and research.

Research is involved in all dimensions of law in modern society—academia, adjudication, lawmaking, policymaking, law reform, and implementation/enforcement process. There is no domain of law and legal studies which may altogether dispense with the idea and methods of research. But not all research is critical or reflexive. Professor Bhat urges that it is high time to move beyond the broad divisions of ‘doctrinal’ and ‘empirical’ research—a distinction with which the debate on legal research momentously began in India in the 1970s. This does not mean that the broad divisions are not necessary, but only that they are not sufficient and in constant need of realignment.

The idea and methods of legal research are distinct but interrelated. What is present as ‘the golden thread running throughout the work’ is the ‘interface between the two’.<sup>1</sup> The engagement with idea ‘unearths the way in which thinking process is to be streamlined in research, the manner

<sup>1</sup> Quoted material in this section of the foreword has been taken from the preface of the present volume.

in which a theme is to be built and the paths through which notions of objectivity, welfare, feminism, ethics, and purposive character of knowledge are to be internalized in legal research'. Central to any research task or enterprise are 'discursive intellectual actions' —both the strategy and operations. And salient in research are the 'development of concepts' and critical examination in 'coherent writing'. Professor Bhat rightly insists that theory and method 'mutually shape each other'; he says at the outset that the 'idea developed through meticulous intellectual exercise and empathizing approach is backbone of critical legal writing'. It is a principal achievement of this work that it is both a treatise on research methods and on jurisprudence and legal theory.

The present work deals with the idea as well as the methods of legal research. It emphasizes on systematization of thinking process in order to build a sustainable theme. Reflexive research begins only with the differentiation between having an opinion and exercising a judgement: critical or reflexive research paves the path for the latter.

Central to research remain the tasks of conceptual research—both legal concepts and juristic conceptions, or concepts about changes in law and concepts of change of law. If the unceasing tasks of interpretation give rise to changes in, and at times, of the law and Constitution, the tasks of research consist in 'making them strong through supporting data and arguments'. Further, Professor Bhat insists on 'coherent ... writing'. These 'discursive intellectual actions central to research' should not eclipse the fact that 'theory and methods mutually shape each other'.

One of the main strengths of this work lies in the reiteration of the truth of the integral relationship between law and society: 'Basically, every law is an embodiment of a social approach, a statement of choice to do or abstain in relation to individual or collective human behaviour and an invitation to action.'<sup>2</sup> Accordingly, whether deployed as a means of social control or as an instrumentality for social change, what is required is 'multi-method legal research' (MMLR)—a meta-method 'that makes use of more than one research method, techniques or strategies to study one or more closely related legal issues' or a 'sequential or simultaneous application of multi-method research'.

Multi-method legal research entails 'holistic perspectives',<sup>3</sup> which involves 'brainstorming by using law economics analysis, law–society

<sup>2</sup> This quote has been taken from Chapter 15 of the present volume.

<sup>3</sup> The quotes in this section have been taken from Chapter 14 of the present volume.

interaction, legal historiography, teleology, and other specific approaches'. This might be a tall order but it is a maxim on which all science and social science seems based. Professor Bhat wants us even to conclude that 'MMLR is a necessity rather than luxury in legal research' because 'what can't be done by mono-method approach can be done by multi-method research, and be done with greater efficiency and synergy, and towards more comprehensive output.' I find precious the MMLR approach (or 'intersectionality', as feminist and impoverishment researchers term it) and its protocols of research. Best critical legal research has always proceeded by a combination of research methods and the learned author remains sensitive to its promise, while alerting us to some perils, as chapters on policy, action, and feminist research make clear.

The incredible sweep of this work is thus manifest all through, but it stands particularly highlighted by the chapter on feminist legal research methods. Thinking like a woman does not come naturally to biologically male and culturally male/female. Avoidance of sexism in doing research is essential to doing good legal research. It remains necessary to find ways of overcoming both what Wendy Brown named 'the male in the state'<sup>4</sup> (I would also add the male in civil society) and what is currently called (by Janet Hailey and Prabha Kotiswaran) 'governance feminism'.<sup>5</sup> More 'public secrets' (as Pratiksha Baxi calls them) of the patriarchal state and society (and their laws) need to be brought to the light of day by difficult action research on entranced forms of violent social exclusion.<sup>6</sup> There is also need to attend to other groups subjected to violent sexual subjugation such as modern slavery, children and juveniles in total institutions, and the situation of same-sex and transgender folks. How law creates discrimination and sustains social prejudice furnishes important sites and fields of effective legal research.

Georg Wilhelm Friedrich Hegel (in *Elements of the Philosophy of Right*, 1820) famously said that '[e]ducation in its early stages always begins with fault-finding, but when it is complete, it sees the positive element

<sup>4</sup> Wendy Brown, 'Finding the Man in the State', (1992) 18(1), *Feminist Studies*, 7–34.

<sup>5</sup> Janet Halley, Prabha Kotiswaran, Rachel Rebouche, and Nila Shamir, *Governance Feminism: An Introduction* (University of Minnesota, 2018).

<sup>6</sup> Pratiksha Baxi, *Public Secrets of Law: Rape Trials in India* (Oxford University Press, 2013).

in everything'.<sup>7</sup> A good scholar, who is always a learner, combines both these attributes. Ishwara Bhat, in this indispensable work, brings home both the difficult art of finding 'positive element in everything' with the science of 'fault-finding'—ethical virtues that critical and reflexive legal research is all about.

Upendra Baxi  
Emeritus Professor of Law  
University of Warwick and Delhi

<sup>7</sup> Georg Wilhelm Friedrich Hegel, *Elements of the Philosophy of Right* (ed. Allen Wood, trans. H.B. Nisbet, Cambridge University Press, [1991], 2003), 269. The popular quote of G.W.F. Hegel states that the 'learner always begins by *finding fault*, but the scholar sees the *positive merit in everything*' (emphasis mine).

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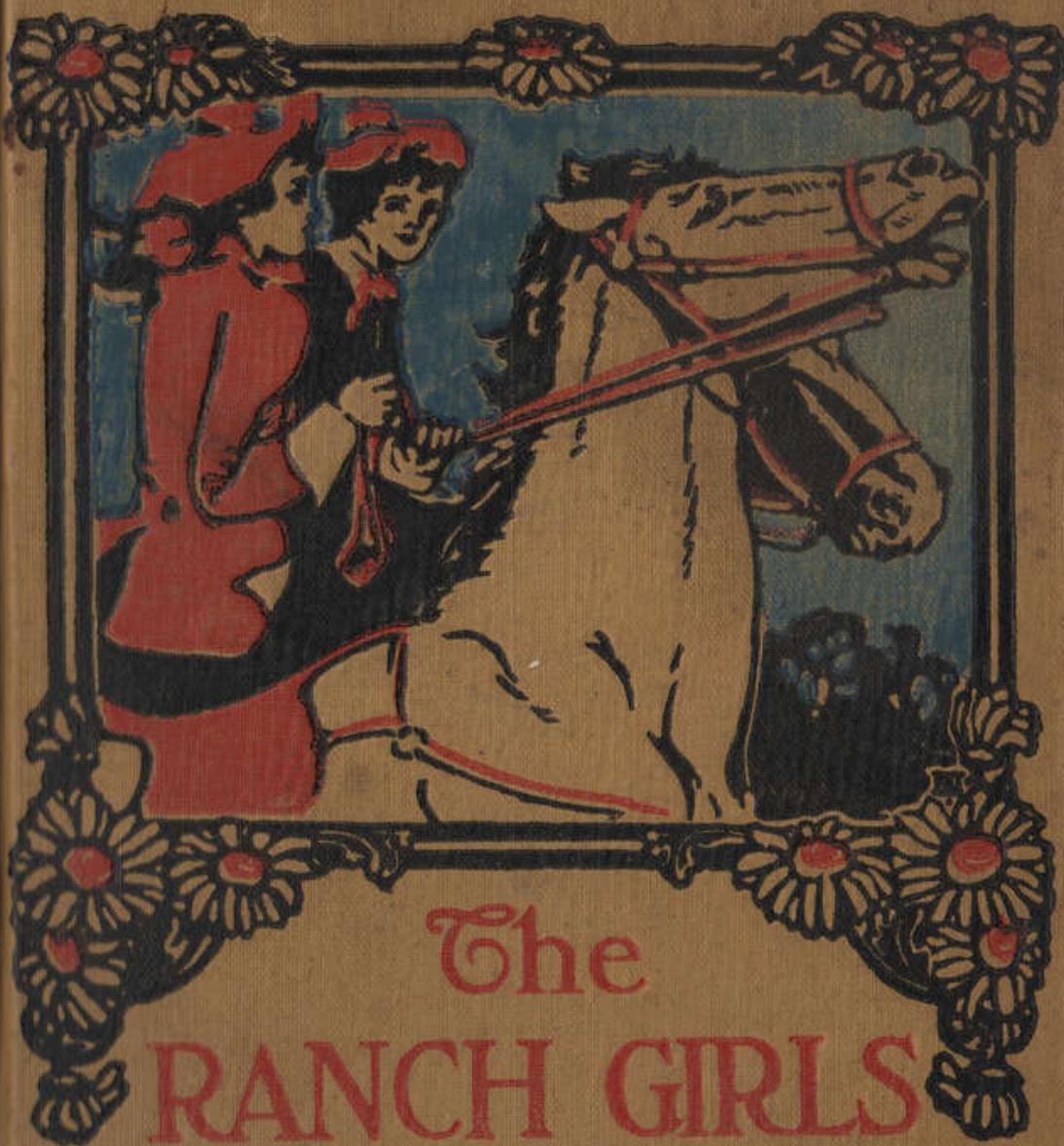
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MARGARET BELKNAP'S BROTHER COULD BE  
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THE RANCH GIRLS SERIES

# The Ranch Girls at Boarding School

By  
Margaret Vandercook

Illustrated By  
Hugh A. Bodine

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# **The Ranch Girls at Boarding School**

## **CHAPTER I**

### **"STILL AS THE NIGHT"**

Would the long night never pass? A figure on a bed in a big bare room stirred and then sighed. Ages ago a clock in the great house known as Primrose Hall, not far from the famous region of "Sleepy Hollow," had struck three, then four, and now one, two, three, four, five solemn strokes boomed forth and yet not a glimmer of light nor a sound to announce the coming of morning.

"In the Lord put I my trust; how say ye then to my soul, that she should flee as a bird unto the hill? For lo, the ungodly bend their bow and make ready their arrow within the quiver, that they may privily shoot at them which are true of heart," a tired voice murmured, and then after a short pause: "Oh, girls, are you awake yet? Aren't you ever, ever going to wake up? Dear me, this night already seems to me to have lasted forever and ever!" For no answer had followed the question, although a door stood wide open between this and an adjoining room and the bed in the other room was occupied by two persons.

Five minutes crawled by and then another five. Tired of reciting the "Psalms of David" to induce repose, the wakeful figure slipped suddenly from its own bed and a slim ghost stole across the floor—a ghost that even in the darkness revealed two shadowy lengths of jet-black hair. In the farther room it knelt beside another bed, pressing its cheek against another cheek that felt both plump and peaceful, while its hand reached forth to find another hand that lay outside the coverlet.

"They are both sound asleep and I am a wretch to be trying to waken them," the spectre faltered; "but how can they sleep so

soundly the first night at a strange boarding school when I am so homesick and lonely I know that I am going to die or cry or do something else desperate? If only Jack were here, things would be different!" And Olive Ralston, one of the four girls from the Rainbow Ranch, sliding to the floor again, sat with her legs crossed under her and her head resting on her hands in a curious Indian posture of grief. And while she waited, watching beside the bedside where Jean Bruce and Frieda Ralston were now quietly asleep, her thoughts wandered away to the hospital in New York City, which held her beloved friend Jack.

Only the day before the three ranch girls, accompanied by their chaperon, Ruth Drew, had made their initial appearance at Primrose Hall to begin their first year of fashionable boarding school life. But once the girls had been introduced to the principal of the school, Miss Katherine Winthrop, and Ruth had had a talk with her and seen the rooms assigned to the ranch girls, she had been compelled to take the next train back to New York, a journey of twenty or more miles, for Jack had been left behind in a hospital and must not be long alone. There she lay awaiting the verdict of the New York surgeons to know whether after her accident at the Yellowstone Park the summer before she might ever expect to walk again. The chief reason of the trip from the Rainbow Lodge in Wyoming to New York City had not been to give the ranch girls an eastern education and to fit them for a more cosmopolitan life now that so great wealth was being brought forth from the Rainbow Mine, but to find out what could be done for Jack.

Now even while Olive was thinking of her best loved friend, a faint, chirrupy noise and a flutter of unfolding wings sounded along the outside walls of Primrose Hall. Lifting her head with a smothered cry of delight, the girl spied a thin streak of light shining across the floor. A moment later, back in her own room with the door closed behind her and her own window open, her eyes were soon eagerly scanning the unfamiliar scene before her. Dawn had come at last!

The young girl drew a deep breath. In the excitement of her arrival at school the day before, in the first meeting with so many

strangers, Olive had not spared time to see or think of the surroundings of Primrose Hall, but now she could examine the landscape thoroughly. Set in the midst of one of the most beautiful valleys along the Hudson River, this morning the fields near by were bright with blue asters, with goldenrod and the white mist-like blossoms of the immortelles; the low hills in the background were brown and red and gold with the October foliage of the trees. Beyond the fields the Hudson River ran broader and deeper than any stream of water a ranch girl had ever seen, and across from it the New Jersey palisades rose like hoary battlements now veiled in a light fog. Surely no sunrise on the river Rhine could be more wonderful than this sunrise over the Hudson River; and yet, as Olive Ralston gazed out upon it, its beauty did not dry her tears nor ease the lump in her throat, for what she wanted was home, the old familiar sights and sounds, the smell of the Rainbow Ranch—and nothing could be more unlike the low level sweep of their Wyoming prairie than this Hudson River country.

"Heimweh," the Germans call this yearning for home, which we have named homesickness, but a better word theirs than ours, for surely this longing for home, for accustomed people and things in the midst of strange surroundings, may be a woe very deep and intense.

From the first hour of the ranch girls' planning to come east to boarding school Olive Ralston had believed that the change from the simple life of the ranch to the more conventional school atmosphere would be more difficult for her than for either Jean or Frieda. True, she had not spoken of it, but Olilie, whom the ranch girls had renamed Olive, had never forgotten that she was in reality an unknown girl, with no name of her own and no people, and except for her friends' generosity might still be living in the dirty hut in the Indian village with old Laska.

After talking it over with Ruth and Jack, they had all decided that it would be wiser not to mention Olive's strange history to her new schoolmates. Now in the midst of her attack of homesickness, Olive wondered if the girls would not at once guess her mixed blood from

her odd appearance, or else might she not some day betray her ignorance of the little manners and customs that reveal a good family and good breeding? In the two happy years spent at the Rainbow Ranch she had learned all she could from Ruth and the other three girls, but were there not fourteen other ignorant years back of those two years?

A charming picture Olive made standing at the open window with her quaint foreign face framed in the high colonial casement. But now, finding both the autumn air and her own thoughts chilling, she turned away and began slowly to dress. She was still blue and yet at the same time ashamed of herself, for had she not been indulging in the most foolish habit in the world, feeling sorry for herself? Here at Primrose Hall did she not hope to find the beginning of her big opportunity and have not big opportunities the world over the fashion of starting out with difficulties to be overcome? When Olive's education was completed she had made up her mind to return once more to the Indian village where she had spent her childhood and there devote her life to the teaching of the Indian children. Though Jack and Frieda Ralston, since the discovery of the gold mine near Rainbow Creek, were probably very wealthy and though it was but right that Jean Bruce as their first cousin should share their fortune with them, Olive did not feel that she wished to be always dependent even on the best of friends.

Having slowly dressed with these thoughts in her mind, the young girl's mood was afterwards a little more cheerful, and yet she could not make up her mind how best to amuse herself until the half-past seven o'clock bell should ring for breakfast. She might write Jack, of course, but there was no news to tell her at present, and stirring about in her room hanging pictures or arranging ornaments would surely awaken Jean and Frieda, who were still slumbering like the seven famous sleepers. No other girl shared Olive's room because Ruth and the four ranch girls hoped that after a few weeks' treatment in the New York hospital Jack would then be able to join the others at school.

Idling about and uncertain what to do, Olive came again to her open window and there stood listening to the "chug, chug, chug" of a big steamer out on the river and then to the shriek of an engine along its banks. Suddenly her face brightened.

"What a goose I am to be moping indoors!" she exclaimed aloud, "I think I will try Jack's old remedy for a bad temper and go and have a good walk to myself before breakfast."

Now Olive did not have the least idea that in going out alone and without permission she would be breaking an iron law of Primrose Hall. Nothing was farther from her mind than disobedience, but no one had yet told her of the school rules and regulations and taking a walk alone seemed to her the most natural thing in the world. Had she only waited a few hours longer she must have understood differently, for the students were expected to assemble that very morning to hear what was required of them at Primrose Hall.

As quietly as possible Olive now slipped on her coat and hat, creeping along the hall on tiptoes so as not to disturb the other sleepers, and for the same reason she as quietly unlocked the big front door. But once out on the lawn, so innocent was she of trying to escape unnoticed, that she paused for several moments to gaze back at the great house she was about to leave.

Primrose Hall was so handsome and imposing that its new pupil felt a thrill of admiration as she looked upon it. A red brick mansion of the old colonial period, it was set in a lovely garden with flowers and shrubs growing close about the house and an avenue of elm trees leading down to the gate. Back of the house was an English garden with a border of box and a sun-dial at the end of a long path. This morning only a few late asters were in bloom in the garden and bushes of hardy hydrangeas with their great blossoms now turning rose and brown from the first early autumn frosts. The house and estate of twelve acres had belonged in the family of Miss Katherine Winthrop for the past five generations and Olive smiled a little over her queer conceit, for the house somehow suggested its present owner to her. Surely Miss Winthrop had appeared just as imposing and aristocratic as her old home on first meeting with her

the day before, but far colder and more imposing than any mere pile of brick and stone.

Primrose Hall was of so great size that it included all the bedrooms and reception rooms necessary for its pupils and teachers, and the only other school buildings about the grounds were the recitation hall and two sorority houses devoted to the pleasures of the girls. Olive had never heard of secret societies, yet she wondered what the mystic words "Kappa" and "Theta" meant, inscribed above their doors.

Primrose Hall had been recommended to Ruth Drew and the ranch girls by Peter Drummond, the New York friend whom they had learned to know at the Yellowstone Park, but apart from its excellent reputation as a finishing school, their choice had fallen upon it because of the far-famed beauty of its historic grounds. In this same old house Washington and Lafayette had been known to stay, and who can guess how many powdered belles and beaus may have flirted with one another in the garden by the old sun-dial?

When Olive had grown tired of the views about the houses she determined to extend her walk over a portion of the estate, and coming to a low, stone wall, climbed over it without thinking or caring just where it led her. Being outdoors once more and free to wander as she choose after two weeks' confinement, one aboard a stuffy train and the other in a palace-like hotel in New York, was now so inspiring that Olive felt like singing aloud. Indeed, it seemed to her that her own personality, which had somehow vanished since leaving the ranch, had come back to her this morning like a dear, familiar garment. It was as though she had lately been wearing fine clothes that did not belong to her and in this hour had donned once again her own well-worn dress.

Running along with the fleetness and quietness of her early Indian days, soon the truant found herself in a woods thick with underbrush and trees never seen before by a Wyoming girl. The air was delicious, the leaves sparkled with the melting of the frost, there was a splendid new wine of youth and romance abroad in the world and Olive completely forgot that she was in the midst of a highly

civilized community and not in the heart of a virgin forest. Indeed, it was not until she had come entirely out of the woods that her awakening took place. Then she found herself apparently in some one's private yard, for she stood facing a white house set up on a hill with a tower at the top of it and queer gabled windows on either side. At the entrance to its big front door stood two absurd iron dogs, and yet there was nothing in any of these ordinary details to make the onlooker turn crimson and then pale. And yet as she stared up at the house the idea that had suddenly come to her seemed so utterly, so absurdly impossible that surely she must be losing her senses.

For five minutes Olive waited without taking her gaze from the house, and then with a shrug of her shoulders turned and walked back into the woods. At first she paid no particular attention to what direction she was taking until all at once, hearing footsteps not far behind, she felt reasonably sure they were following hers.

## **CHAPTER II IN DISGRACE**

It was ridiculous for Olive to have been so frightened with so slight cause, yet the thought that some one might be in pursuit of her filled her with a nervous terror. To the people not afflicted with timidity, most fears are ridiculous, and yet no single weakness is harder to overcome. Of the four ranch girls, Olive was the only timid one, but before one criticizes her, remember her childhood. Now with her heart pounding and her breath coming in short gasps, she quickened her pace into a run, recalling at the same time their chaperon's forgotten instruction that she must no longer expect the happy freedom of their western lands. But the faster the frightened girl ran the faster the traveler back of her appeared to be following. And now Olive dared not hide deeper in the woods, knowing that the hour was growing late and that any added delay would make her late for breakfast.

Many times in her life would her Indian knowledge of the woods save her in emergencies of this sort, so in another moment she remembered that an Indian never runs away from his pursuer, but hides until his enemy has passed. Behind a low clump of laurel bushes the girl hid herself, crouching low and expecting each instant to see a tramp or an armed gamekeeper, whose business it was to keep intruders out of private property, savagely on the lookout for her.

Her pursuer did come on without hesitation and finally arrived just opposite Olive's hiding place, but then it was the girl in hiding who suddenly sprang to her feet, startling the newcomer. For the enemy she had so dreaded was only another girl like herself with a

smile on her face and a bundle of books under her arm. She was ten years older perhaps, yet she looked not unlike Jacqueline Ralston before her illness; her eyes were blue instead of gray, but she had the same bright bronze hair and firm line to her chin and the same proud way of holding up her head.

"Who or what are you?" she asked Olive, "a wood nymph living in this underbrush, for your clothes are of so nearly the same color that I did not see you at first."

Olive, who was wearing a dark olive-green coat suit and a tam-o'-shanter of velvet of the same shade, shook her head. "I am one of the new girls from Primrose Hall and I have been out for a walk, but as I am not very familiar with these woods, I am not just sure where I am. Would you mind—" Her request came to an abrupt end because of the expression of surprise and disapproval on the older girl's face.

"A student from Primrose Hall and outdoors alone at this hour of the morning! How on earth did Miss Winthrop happen to give you permission?" she asked in the positive fashion that Olive was to learn to know so well later on.

The first consciousness of possible wrong-doing now swept over the truant. Could it be that in taking a walk without asking permission she had broken a rule of her new school? The idea seemed ridiculous to Olive, and yet—were not all things different than in the old days? "I am so sorry, but no one gave me permission to take a walk. Was it necessary to ask?" she inquired. "You see, we only arrived at Primrose Hall yesterday and we—I—why, we often stay out hours before breakfast at home, riding over the plains!"

Olive's innocence of offense and her distress were so plain to the older girl that straightway she slipped her arm through hers and without delay hurried her along toward school, talking as she went.

"I am Jessica Hunt, the teacher of English and elocution at Primrose Hall, and I have been spending the night with some friends." Jessica gave a reassuring pressure to the hand in hers. "You must not be frightened, child, if Miss Winthrop seems rather terrifying on your return. I used to be a pupil at Primrose Hall before

I started in with the teaching and I'm really very fond of her. Miss Winthrop isn't so severe as she looks, but I expect I had better tell you that it is after breakfast time now and, as the school girls are never allowed to go out alone and never without permission, why she may scold you a bit."

If only she might at this moment have dropped down in the path to weep like a naughty child about to be punished for a fault, Olive would have felt it a great relief, and only the thought of her age prevented her doing this. Could she ever live through the embarrassment of facing fifty strange girls, more than half a dozen teachers and Miss Winthrop while she was being reprimanded. Why, yesterday just on being introduced to Miss Winthrop, with Ruth and Jean and Frieda with her for protection, had she not felt as tongue-tied and frightened as a silly baby? And now must she face this stern woman alone and under the shadow of her displeasure?

Never as long as she lived (and the circumstances of Olive Ralston's life were always unusual and romantic) would she ever forget the next half hour's experience at Primrose Hall, nor the appearance of the great hall as she entered it, with girls and teachers grouped about, and towering above everything and everybody, the tall, commanding presence of its principal, Miss Katherine Winthrop.

Almost without her own volition Olive found herself standing in front of Miss Winthrop, Jessica's arm still through hers, heard the teacher of mathematics say, "Here is your new runaway pupil with Miss Hunt," and realized that this teacher, whom she had disliked yesterday because she wore round spectacles and dressed like a man, wished not so much to get her into trouble as to involve Jessica in her disgrace.

But Jessica was not in the least disturbed, being the only teacher at Primrose Hall not afraid of its owner. "Miss Winthrop," she now began coaxingly, "I have brought our new girl home. She was only taking a walk in the woods near by, but I am sure she would rather explain to you herself that in going out without permission she did not know she was breaking a school rule. You see, she has lived

always in the West and been accustomed to such perfect freedom—" Jessica was continuing her case for the defendant, realizing that Olive was still too frightened to speak for herself. But suddenly Miss Hunt was thrust aside by a small, plump person, with the longest yellow braids and the biggest blue eyes in the school, and without the least regard for either teachers or principal, Frieda Ralston now flung her arms about Olive.

"For goodness sake, why didn't you tell Jean and me where you were going?" she demanded. "We have been so frightened about you."

And then before Olive could reply, another girl stood at her other side, a girl with dark brown hair, a pale skin and demure brown eyes, whose nose had the faintest, most delicious tilt at the end of it. Jean Bruce said nothing, but she looked ready and anxious to defend her friend against all the world.

Surrounding the little group of ranch girls and the three teachers were numbers of other students, most of whom were casting glances of sympathy at the new pupil who had so soon fallen into disgrace. Breakfast just over, they were supposedly on their way upstairs to their own rooms, but Olive's entrance with Jessica had interrupted them and until Miss Winthrop spoke no one had stirred.

"You may go to your own apartments now, girls," she said quietly. "Miss Ralston will explain her absence to me in my private study." As her words and look included Jean and Frieda, they also were compelled to follow the other students up the broad mahogany stairs, leaving Olive to face her fate alone. Only one girl with short curly hair and a freckled nose actually had the courage to stop in passing and whisper to the offender:

"Fare thee well, light of my life, farewell. For crimes unknown you go to a dungeon cell," she chanted. Then while Olive was trying to summon a smile in return, a beautiful girl with pale blonde hair joined both of them, and drawing the other girl away, said loud enough for a dozen persons near by to overhear: "Oh, do come on upstairs, Gerry. When will you learn not to be friendly to objectionable persons whom no one knows anything about?" And so

cool and indifferent did her expression appear as she made her unkind speech that it was hard to believe she understood that her words could be overheard. But Olive Ralston heard them and in spite of her gentleness never in after years forgot or forgave them.

A minute or so later, when everybody else had disappeared, Olive found herself alone in Miss Winthrop's study, seated in a comfortable leather chair facing a desk at which Miss Winthrop was writing.

"I will talk to you in a few minutes," she had said as they entered the room, and at first the prisoner had felt that waiting to hear her sentence would be unendurable. Of course she would be expelled from Primrose Hall; Olive had no other idea. And of course Ruth and Jack would understand and forgive her, but there would be no going back on her part to be a burden and disgrace to them. Somehow she must find work to support herself in the future!

But as time passed on and Miss Winthrop continued with her writing, by and by Olive's attention wandered from her own sorrows and she busied herself in studying her judge's face. Miss Winthrop's expression was not so stern in repose, for though the lines about her mouth were severe and her nose aquiline, her forehead was high and broad and her dark eyes full of dignity and purpose. And then her figure. Olive felt obliged to admit that though she was taller and larger than almost any woman she had known, her grace and dignity were most unusual and the severity of her simple black silk gown showed her to great advantage.

Weary of scrutinizing the older woman, Olive's eyes next traveled idly to the top of Miss Winthrop's desk, resting there for an eager moment, while in her interest she forgot everything else. For the first time in her life this young girl, who had seen nothing of the World of art, had her attention arrested by one of the world's great masterpieces.

On Miss Winthrop's desk there stood a cast of an heroic figure of a woman with broad, beautiful shoulders and wonderful flowing draperies. The figure was without head or arms and yet was so inspiring that, without realizing it, Olive gave a sigh of delight.

Straightway Miss Winthrop glanced up. "You like my cast?" she asked quickly. "Do you know that it is a copy of the statue of 'The Winged Victory,' 'The Nike'? The real statue now stands at the top of the stairs in the Louvre in Paris and there you will probably see it some day. But I like to keep the figure here as a kind of inspiration to me and to my girls. For to me 'The Victory' means so much more than the statue of a woman. It stands, I think, as the emblem of the superwoman, what all we women must hope to be some day. See the beauty and dignity of her, as though she had turned her back on all sin and injustice and was moving forward into a new world of light. I like to believe that the splendid lost arms of the Nike carried the world's children in them."

Of course Miss Winthrop realized that she was talking above the head of her new pupil, but she wished an opportunity to study the girl's face. Now she saw by its sudden glow and softening that she had caught at least a measure of her meaning.

"Girls, girls, girls." Sometimes Miss Winthrop felt that the world held nothing else and that she knew all the varieties, and yet one could never be too sure, for here before her was a new type unlike all the others and for some reason at this moment she attracted her strongly.

To Miss Winthrop alone at Primrose Hall Ruth Drew had thought it wise to confide as much as they knew of Olive's extraordinary history, pledging her to secrecy. Now to herself Miss Winthrop said: "It is utterly ridiculous to believe this child has Indian blood, for there is absolutely nothing in her appearance to indicate it. I believe that her history is far more curious than her friends suppose."

But to Olive, of course, she said nothing of this, for after her first speech her manner appeared to change entirely. Sitting very erect in her chair, she turned upon her pupil "You may go," she said coldly, "for I understand that by your action this morning you did not deliberately intend to break one of my rules. But kindly be more careful in the future, for I am not accustomed to overlooking disobedience, whatever its cause."

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